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Attorneys for Plaintiffs

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

Dilevon Lo, Jerry Vang, Nathan Thao, Mao Thao, Pao Lee, Antonio Lee, Koua Lee, Nhia Thai Vang, Zeng Lee, Der Lee, and Khue Cha,

Plaintiffs,
v.

County of Siskiyou; Jeremiah LaRue and Jesus Fernandez, in their official capacities as members of the Siskiyou County Sheriff's Department and in their individual capacities; and Brandon Criss, Ed Valenzuela, Michael N. Kobseff, Nancy Ogren, and Ray A. Haupt, in their official capacities as members of the Siskiyou County Board of Supervisors and in their individual capacities; Edward Kiernan, in his official capacity as County Counsel for Siskiyou County and in his individual capacity; California Department of Forestry and Fire Protection; and DOES 1-100,

Defendants.

Case No.: 2:21-cv-00999-KJM-DMC

**SUPPLEMENTAL DECLARATION OF
ALLISON MARGOLIN IN SUPPORT OF
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION**

1
2
3 **DECLARATION OF ALLISON B. MARGOLIN**

4 I, ALLISON B. MARGOLIN, declare:

5 1. I am an attorney admitted to practice before the United States District Court for the
6 Eastern District of California. I am one of the attorneys representing the plaintiffs in this
case.

7 2. I submitted a declaration dated yesterday, August 4, 2021 to the court regarding this case.
8 In ¶ 2 of my 8/4/21 declaration, I described a YouTube video and attached a screen shot of
9 the video as Exhibit A to the 8/4/21 declaration. My office just received a transcript of the
10 video today, August 5, 2021 at 4:32 PM from Language Fish LLC transcription services.

11 3. Attached hereto as **Exhibit A** is a true and correct copy of a transcript from a YouTube
12 video posted by U.S. Congressman Doug LaMalfa on July 19, 2021, entitled “Rep. LaMalfa,
13 Sheriff LaRue, and Supervisor Haupt at the illegal grows,” available at

14 <https://www.youtube.com/watch?v=tOPHKIasQKI>. This is the same video I reference in ¶ 2
15 of my 8/4/21 declaration. In the video, Rep. LaMalfa states that Sheriff LaRue is showing
16 that they “mean business” and are going to “run these guys out of here.” Sheriff LaRue
17 states in the video that there are “over 6,000 people that are involved in this area, and they
18 all cultivate year-round in greenhouses,” that “there is a lot of gang activity in this area,” and
19 that “the group of people that we have here, they have not complied with any of our
20 laws.” Supervisor Haupt states in the video that “everything out here is illegal” and “there
21 are no permits for anything and we’ve been left with a real mess.”

22
23 I hereby declare under penalty of perjury the above matters are true and correct.

24 Executed on this 5th day of August, 2021, in California.

25
26 August 5, 2021

Respectfully submitted,

27
28 /s/ Allison B. Margolin

Attorney for Plaintiffs

EXHIBIT A



certifiedtranslate

A LANGUAGE FISH LLC COMPANY

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CERTIFICATE OF ACCURACY

Language Fish LLC (aka CertifiedTranslate) certifies that the document produced from the audio file named *Rep. LaMalfa, Sheriff LaRue, and Supervisor Haupt at the illegal grows.mp4* is a true and accurate transcription. The transcript was produced by the employees and contractors of Language Fish LLC to the best of their abilities and no intentional changes or redactions have been made.

Dated: August 5, 2021



Sean Kirschenstein, President
For Language Fish LLC

*Transcription attached

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1 **Rep. LaMalfa, Sheriff LaRue, and Supervisor Haupt at the illegal grows.mp4**

2 Rep. LaMalfa: We're really pleased to be up here, uh, with, uh, Sheriff LaRue and Supervisor
3 Haupt to- today in Siskiyou County where this terrible marijuana grow has been
4 allowed to get away because, uh, some of us in higher levels of government
5 haven't been able to enforce things, but Sheriff has taken the bull by the horns
6 on this thing, and some of you have seen already in the other videos is really
7 showing that they mean business and they're gonna run these guys out of here.
8 Supervisor Haupt's been very helpful [00:00:30] with us today and, uh, ongoing
9 with, uh, helping get the ordinances in place that gives them the power to do
10 what they need to do. So, we need to have the state and the federal
11 government get over themselves a little bit and help implement stronger policy
12 that gives these fellows the tools, so Sheriff, take it away, please.

13 Sheriff LaRue: Yeah, no, I appreciate that. I think, uh, you know, uh, cannabis is one thing but if
14 you consider the environment impact that we're seeing on a large scale. Uh, the
15 area that we're in right now is part of a subdivision with 1,700 parcels, and on
16 each one of those parcels [00:01:00] it's often illegally subdivided, and what
17 we're often seeing is huge pits that are dug to bury trash, raw sewage being
18 pumped into the ground, and all kinds of caustic chemicals that we're not sure
19 exactly what they're used for in the groves but they are everywhere. Um, it's
20 very dangerous for our deputies to be inside these greenhouses, and we are
21 tired of it. We're tired of sending people in to a place that we know is probably
22 gonna prevent or create some sort of, uh, issue later on with their health, and
23 what we've been trying to do here is- [00:01:30] is tell people that we have had
24 enough of this.

25 Um, you know, all the laws that we have on the books are just not designed to
26 take c- uh, you know, care of something of this magnitude and, uh, you know,
27 there may have been some initial thoughts about legalizing cannabis so that it
28 would be easier for people to, um, you know, regulate it, uh, but what
29 unfortunately has happened is people have thrived on the ability for, uh, small
30 counties to not be able to, um, have the resources to target the problem. So, uh,

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31 [00:02:00] this has blown up exponentially. It used to be a small group of
32 people. It's now over 6,000 people, um, that are involved in, um, this area, and
33 they all cultivate, uh, year-round in greenhouses, and most of these parcels
34 have anywhere a three to four greenhouses, uh, per parcel. Um, we're looking
35 at millions of dollars per parcel that's going to the black market for, uh, illicit
36 cannabis.

37 Rep. LaMalfa: Thanks. Supervisor Ray Haupt.

38 Supervisor Haup...: I wanna thank both you-

39 Sheriff LaRue: Yeah.

40 Supervisor Haup...: ... today, uh, you especially, [00:02:30] uh, Sheriff LaRue. Uh, you know, I've
41 been, uh, working towards this day for better than five years and, you know, it-
42 it's critical for the public to understand that this is criminal activity, you know.
43 This is not a couple of folks trying to grow some cannabis, you know, to get high
44 and, you know, the typical things that we've seen in the county, you know, as
45 long as I've been in the county. This is- is deep embedded criminal activity and-
46 and everything out here is illegal. Uh, the occupancy, uh, uh, there are no
47 permits for [00:03:00] anything and we've been left with a real mess, uh, from
48 an environmental standpoint to clean up up here, and I appreciate the- the
49 support of the board members, too-

50 Sheriff LaRue: Yeah.

51 Supervisor Haup...: ... uh, that got behind the ordinance, and also, you know, behind the scenes like
52 some of the county departments, uh, uh, supporting effort.

53 Sheriff LaRue: Sure.

54 Supervisor Haup...: Even the forest service, uh, is in, is involved, uh, in this, which is, uh, they have
55 adjacent properties here and, uh, I can't say thank you enough.

56 Sheriff LaRue: Yeah, no. What I also wanna say, and I appreciate, uh, the [00:03:30] board of
57 supervisors, Doug, your office as well, uh, something to also keep in mind about
58 this that maybe I didn't touch on is, uh, there's a lot of gang activity that we
59 have documented in this area. Um, you know, there's- there's a lot of
60 discussions about, um, you know, individuals that live in this community, but I'll

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61 tell you what. The- the folks that are here that are saying they're living here,
62 these are not, uh, places that have residences on them. Um, what they're doing
63 is squatting on property, so there's real no lawful purpose to be [00:04:00] here.
64 They do not, uh, put in the, uh, appropriate septic system. They do not have
65 wells on the property, and they don't have residences.

66 So, it's something to consider that, um, you know, the- the group of people that
67 we have here, um, unfortunately have not complied with any of our laws, and
68 they have developed a commercial cannabis grow site that again, like, uh,
69 Supervisor Haupt has said, is 100% illegal, and in our county it is prohibited. So,
70 um, you know, we're doing everything we can do let it be known that that is
71 illegal. [00:04:30] We have spread the information out throughout the
72 community. We have translated, um, you know, the- the ordinances in different
73 languages, and from the people that we've discussed in- in, uh, in the
74 community, they know full well that it's illegal but they have told us, "Too bad.
75 What are you gonna do about it?" And I think we're demonstrating what we're
76 gonna do about it here today.

77 Rep. LaMalfa: It's amazing how brazen and bold they are just putting all this up here. I mean,
78 you know, take a look at that over there. Pan under that and just ... This is the
79 stuff they've left laying around here in these buildings [00:05:00] and on the
80 grounds that, uh, they don't care how it affects waterways or anything else
81 here, and they're- they're gonna keep getting away with it until people get
82 tough like these folks are, and us helping them. We need the National Guard in
83 us. We need DEA in on it, anybody that can come and help and hap- make this
84 not happen here or southern California or other areas.

85 Sheriff LaRue: Right.

86 Rep. LaMalfa: 'Cause this is, this is terrible for the- the good people that live here.

87 Sheriff LaRue: Yeah, and I, uh, just to add to that, i asked, uh, people on both sides of the aisle
88 no matter where [00:05:30] you stand politically, we can all get behind the fact
89 that our environment here is being absolutely just trashed. Uh, again, the raw
90 sewage and the chemicals going into the ground, we should all be able to stand

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91 up and agree on that, that that is not, um, appropriate at all at any level, no
92 matter what- what is going on behind the scenes, whether it's cannabis or any
93 other type of activity. Uh, this is occurring now and it's occurring everywhere
94 throughout this county, and we should all be able to get together and agree, uh,
95 that we need to stop that immediately. So, we ask for everyone's support in that
96 [00:06:00] and we need the attention of the people at the federal and state
97 level.

98 Rep. LaMalfa: Sheriff Jeremiah LaRue, thank you so much.

99 Sheriff LaRue: You bet.

100 Rep. LaMalfa: Supervisor Ray Haupt, thank you very much.

101 Supervisor Haup...: Thank you.

102

103 The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.

104 Signed 

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